



Legislation Text

File #: RES PH 23-178, **Version:** 1

Approving the application of Forward Events LLC for a sound level variance in order to present amplified sound on July 22, 2023 at 390 Kellogg Boulevard - Union Depot Parking Lot C.

WHEREAS, Chapter 293 of the Saint Paul Legislative Code was enacted to regulate the subject of noise in the City of Saint Paul; and

WHEREAS, §293.09 provides for the granting of variances from the sound level limitations contained in §293.07, upon a finding by the City Council that full compliance with Chapter 293 would constitute an unreasonable hardship on the applicant, other persons or on the community; and

WHEREAS, Forward Events LLC, represented by Jessica Fast / Tom Broich, Owner / Organizers of Events, who have been designated as the responsible persons on the application, have applied for a variance, for 90 dBA at no specific distance to present amplified sound for the St. Paul Food Truck Festival at 390 Kellogg Blvd; and

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WHEREAS, applicant has requested a variance for the hours of 11:00 a.m. to 9:00 p.m. with a pre-event sound check from 10:15 a.m. to 11:00 a.m. on July 22, 2023 for the St. Paul Food Truck Festival; and

WHEREAS, if applicant is not granted a variance applicant will not be able to present amplified sound at 390 Kellogg Blvd - Union Depot Parking Lot C; and

WHEREAS, the Department of Safety and Inspections has reviewed the application and has made recommendations regarding conditions for the variance. Now, therefore, be it

RESOLVED, that the Council of the City of Saint Paul hereby grants a variance to Forward Events LLC, subject to the following conditions:

- 1) The Variance shall be for the hours of 11:00 a.m. to 9:00 p.m. with a pre-event sound check from 10:15 a.m. to 11:00 a.m. on Saturday, July 22, 2023 for the St. Paul Food Truck Festival.
- 2) All electronically powered equipment used in conjunction with the event shall not exceed 90 dBA at 50 feet from all sound sources
- 3) The applicant shall provide personnel and equipment who shall provide continuous sound level monitoring at each sound source during the hours of the variance.
- 4) All electronically powered equipment, PA systems, loudspeakers or similar devices shall be turned off no later than 9:00 p.m. on July 22, 2023, the event date.

FURTHER RESOLVED, that any violations of the conditions set forth above on the July 22, 2023 dates may result in denial of future requests for the grant of a noise variance, in addition to any criminal citation which might issue.

Forward Events LLC, represented by Owner and Organizer of Events, Jessica Fast and Tom Broich, has requested an exemption from the sound level limitations in Chapter 293.07 in order to present amplified sound, with limitations, from 11:00 a.m. to 9:00 p.m. with a pre-event sound check from 10:15 a.m. to 11:00 a.m. on July 22, 2023. Chapter 293.09 provides for the granting of variances from the sound level limitations contained in Chapter 293.07.

Was proper notice given? YES - See Attachments